

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO  
COMMERCIAL CREDIT GROUP INC.,

Plaintiff,

v.

No. CV 19-0558 KG/JHR

PROTÉGÉ EXCAVATION, INC.,

Defendant.

**ORDER ADOPTING MAGISTRATE JUDGE'S  
PROPOSED FINDINGS AND RECOMMENDED DISPOSITION AND  
ISSUING WRIT OF REPLEVIN**

This matter comes before the Court on Magistrate Judge Jerry H. Ritter's Proposed Findings and Recommended Disposition Regarding Expedited Ex Parte Issuance of Writ of Replevin ("PFRD") (*Doc. 9*), filed August 5, 2019. The proposed findings notify the parties of their ability to file objections and that failure to do so waives appellate review. To-date, neither party has filed objections. Rather, Plaintiff has filed a Notice of No Objection to Proposed Findings and Recommendations, *Doc. 10*, filed August 7, 2019, which "respectfully requests that the District Judge adopt the Magistrate Judge's Findings and issue the writ in form attached as an Exhibit to the Findings, and [Plaintiff] CCG will post the necessary bond." *Id.* Therefore, the Court will adopt Judge Ritter's recommendations.

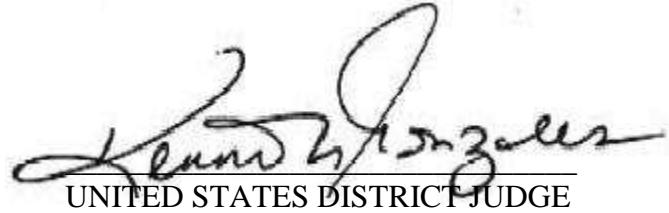
Wherefore,

**IT IS HEREBY ORDERED AS FOLLOWS:**

1. The Magistrate Judge's Proposed Findings and Recommended Disposition (*Doc. 9*) is **ADOPTED**;
2. The Court will issue the proposed Writ of Replevin for recovery of the collateral described in the complaint and supporting documents, deliverable to the Sheriff of Taos County and Bernalillo County or any other New Mexico county where the

collateral may be found, and also summoning Defendant Protégé Excavation, Inc., to file an answer to the complaint, all by a date certain as stated in the writ.

3. Plaintiff Commercial Credit Group shall post a bond as required by NMSA 1978, § 42-8-6 (1907), in an amount no less than double the value of the collateral as described in the complaint and supporting documents.



The image shows a handwritten signature in black ink, which appears to read "Kenneth L. Gonzales". Below the signature, the text "UNITED STATES DISTRICT JUDGE" is printed in a standard font.

UNITED STATES DISTRICT JUDGE